

NAFRHIGH COURT OF CHHATTISGARH, BILASPURMCRC No. 7615 of 2018

- Suraj @ Tekram Sahu S/o Shivkumar Sahu Aged About 22 Years R/o Sargaon, Ward No. 5, Outpost Sargaon, Police Station Pathariya, District - Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Applicant

Versus

- State Of Chhattisgarh Through Station House Officer, Police Of Police Station Pathariya, District - Mungeli, Chhattisgarh., District : Mungeli, Chhattisgarh

---- Non-applicant

For Applicant	: Mr. Anil Gulati, Advocate.
For Non-applicant	: Mr. Satish Gupta, Govt. Advocate

Hon'ble Shri Justice Sharad Kumar Gupta
Order On Board

12.12.2018

1. This is first bail application under Section 439 of the Cr.P.C. preferred by the applicant before this Court and no other bail application is pending before any other Court.
2. Perused the case diary provided by the learned counsel for the State in connection with crime No. 374/2018 registered at Police Station – Pathariya, District - Mungeli (C.G.) for the offence punishable under Sections 354, 354(ᳵ), 509(B), 506 r/w 34 of the Indian Penal Code, Section 12, 17 of the Protection of Children from Sexual Offences Act, 2012 and 67 of Information Technology Act.
3. Case of the prosecution, in brief is that prosecutrix is about 17 years old. She is resident of village Sargaon. She was studying in Govt. Higher Secondary School, Sargaon. Coaccused Hemchand Porte had trapped her in love affair. Applicant had recorded conversation of her with Hemchand Porte by mobile. Thereafter, applicant started molesting her. He used to kiss and press her breast. He was demanding sex from her and on denial, he had given threatening to viral her obscene photographs.
4. Learned counsel for the applicant submits that the applicant has no criminal background. He is innocent and has been falsely implicated in the present case, therefore, he shall be released on bail.
5. On the other hand, learned counsel for the State opposes the bail application, however, he submits that there is no antecedent against the applicant.
6. Looking to these facts and circumstances of the case, looking to the fact that there is no likelihood of the accused to abscond and tamper the evidence, It is directed that if the applicant furnishes two solvent sureties for a sum of Rs.25,000/- each along with a personal bond of Rs. 50,000/- to the satisfaction of the concerned Trial Court with the condition that he will not involve in any crime in future, he will appear before the Trial Court at 11:00 am as and when directed till trial and he would cooperate during the trial, he shall be released on bail.
7. Certified copy as per rules.

Sd/-
(Sharad Kumar Gupta)
JUDGE